



PATENT--NO FEE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Michael L. Schweiss

Group Art Unit

Serial No: 09/783,960

ExR: B. Johnson

Filed: February 20, 2001

For: METHOD OF OPENING AND
CLOSING A BI-FOLD DOOR

Case Docket No.: S339.12.2

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DECLARATION OF MICHAEL L. SCHWEISS

I, Michael L. Schweiss, hereby declare as follows:

1. I am the inventor of the bi-fold door lift apparatus disclosed and claimed in U.S. Patent 6,199,617 and the method and apparatus of opening and closing a bi-fold door disclosed and claimed in U.S. Patent Application Serial No. 09/783,960.
2. I am the president of Schweiss Distributing, Inc. of Fairfax, Minnesota and am knowledgeable of the doors made and sold by Schweiss Distributing, Inc. including the number of sales and dollar volume of sales of doors.
3. Schweiss Distribution, Inc. manufactures and sells Schweiss Lift Strap™ bi-fold doors that include door lift apparatus disclosed and claimed in U.S. Patent 6,199,617 and the method and apparatus of opening and closing a bi-fold door disclosed and claimed in U.S. Patent Application Serial No. 09/783,960. The apparatus includes elongated flexible webs connected to a panel of a door and a rotatable member. A reversible electric motor operating at a constant speed rotates the rotatable member to wind the web in overlapping relation to move the door to an open position. The speed of

the door increased during opening movement of the door. When the drive of the motor is reversed, the web unwinds from the rotatable member during closing movement of the door. The speed of the door decreases during closing movement of the door.

4. Attached Exhibits A and B are advertising brochures of Schweiss Distributing, Inc. showing and describing the Schweiss Lift Strap™ apparatus and method of opening and closing a bi-fold door. This apparatus and method is disclosed and claimed in U.S. Patent Application Serial No. 09/783,960.

5. In the last three years, Schweiss Distributing, Inc. has manufactured and sold 952 bi-fold doors having the Schweiss Lift Strap™ structures and method that are the subject matter claimed in U.S. Patent Application Serial No. 09/783,960. The dollar volume of these sales is \$5,622,343.

6. The Schweiss Lift Strap™ bi-fold door opening and closing devices has satisfied a long-felt need for improving the open and closing of bi-fold doors. The advantages of the Schweiss Lift Strap™ device are listed on the back page of Exhibit B.

7. The Commercial success of the Schweiss Lift Strap™ bi-fold door opening and closing device is directly related to the new and novel web apparatus and method of opening the door at an increasing rate of speed and closing the door at a decreasing rate of speed.

8. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, and further that the facts set forth in this

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declaration are true, all statements made based on my own knowledge are true, and all statements made on information and belief are believed to be true.

Date: 11-12-, 2001

Michael L. Schweiss
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